

Title 31
ELECTIONS
Part II. Voter Registration

Chapter 1. Registrar of Voters

§101. Elections and Registration Information Network Registrar of Voters User Manual and Commercial Services Cost Schedule

A. The commissioner of elections has established a state voter registration computer system for the registration of voters throughout the state.

B. The commissioner of elections shall provide all registrars of voters with an Elections and Registration Information Network Registrar of Voters User Manual to be utilized with respect to the state voter registration computer system. This manual shall establish procedures with respect to all records, data, and information required for the registration of voters and the transfer of information to the department. All registrars of voters shall utilize this manual to insure the proper registration of voters. A uniform cost for the preparation of lists of registered voters shall be included in the user manual. Any updates of the manual provided by the Department of Elections and Registration to the registrars of voters shall be incorporated into the manual by each registrar of voters.

C. The Elections and Registration Information Network Registrar of Voters User Manual shall be submitted to the state attorney general's office for approval. Any updates to the manual shall also receive approval by the state attorney general's office.

D. The Elections and Registration Information Network Registrar of Voters User Manual shall be submitted to the Committee on House and Governmental Affairs and the Senate and Governmental Affairs Committee for their information. Both committees shall be kept informed of any changes to the manual.

E. The commissioner of elections establishes the commercial services cost schedule as follows.

1. Hardcopy Lists

Number of Voters	Cost
1 - 2,000 voters	\$ 50.00
2,001 +	\$ 0.025 x number of voters
(If the total number of voters is less than 2,001, the minimum charge of \$ 50.00 plus delivery applies.) Additional copies of list would cost \$0.005 times the number of voters.	

2. Labels

Number of Voters	Cost
1 - 1,428 voters	\$ 50.00
1,429 +	\$ 0.035 x number of voters
(If the total number of voters is less than 1,429, the minimum charge of \$ 50.00 plus delivery applies.) Additional copies of labels would cost \$0.01 times the number of voters.	

3. Tape

a. There will be an up-front charge of \$150.00 plus a per voter charge as follows:

Number of Voters	Cost
1 - 50,000	\$0.025 x number of voters (max. \$ 1,250)
50,001 - 100,000	\$0.020 x number of voters (max. \$ 1,000)
100,001 - 250,000	\$0.015 x number of voters (max. \$ 2,250)
250,001 - 500,000	\$0.010 x number of voters (max. \$2,500)
500,001 - 1,000,000	\$0.008 x number of voters (max. \$4,000)
1,000,001 - 2,500,000	\$0.005 x number of voters
(An example would be a tape with 250,000 voters and would cost \$150 + \$1,250 + \$1,000+\$2,250 = \$4,650.)	

b. Tape Updates. Four updates may be purchased within one year from the date of the original purchase at a cost of \$0.005 times the number of voters. Selection criteria for the updates must be the same as specified on the original order. A tape update is usually a new copy of all records.

4. Floppy Disk

Number of Voters	Cost
1 - 1,000	\$50.00

Number of Voters	Cost
1,001 +	\$0.05 x number of voters
(If the total number of voters is less than 1,001, the minimum charge of \$50.00 applies.)	

5. Delivery. The cost for courier service shall be \$5.00 per job.

6. Special Requests. The prices above apply to requests using the standard criteria. A \$50 per hour programming charge will be added for any "special request." Registrars of voters must check with Data Processing prior to agreeing to a request that does not conform to the standard criteria.

F. Copies of the Elections and Registration Information Network Registrar of Voters User Manual can be viewed at the Department of Elections and Registration Office, 4888 Constitution Avenue, Baton Rouge, LA or at each office of the registrars of voters throughout the state, or at the Office of the State Register, 1051 North Third Street, Suite 512, Baton Rouge, LA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:18 and R.S. 18:31.

HISTORICAL NOTE: Promulgated by the Department of Elections and Registration, Office of the Commissioner, LR 24:1921 (October 1998).

§103. Removal of Registrars of Voters

A. Proceedings relative to the removal of registrars of voters for cause, as enumerated in R.S. 18:53, shall be conducted in accordance with the provisions of the Administrative Procedure Act (R.S. 49:951 et seq.), as clarified by these rules.

B. The person filing the complaint shall be responsible for the presentation of his case and shall be required to prove his allegations by a preponderance of evidence. The board shall act as impartial judge only.

C. No proceeding for the removal of a registrar shall be commenced except by written complaint filed with the board by one or more natural persons of legal age who reside within the parish served by the registrar whose removal is sought.

D. The complaint shall include:

1. the name and mailing address of each complainant;
2. the name of the registrar whose removal is sought and the parish he serves;
3. reference to the specific grounds for removal as set out in R.S. 18:53, upon which the complaint is based;
4. a full statement of the facts, commissions or omissions upon which the complaint is based, including the names of persons, dates, places and circumstances, so as to fully inform the registrar as to the factual basis for the complaint shall be admissible;

5. a clear statement that the removal of the registrar from office is being sought by the complainant.

E. The complaint must be signed by each complainant and verified under oath before a notary or other officer authorized to administer oaths as true and correct to the best of affiant's knowledge, information and belief.

F. Upon receipt of the complaint, if the board finds that it fails to state a cause of action for removal, the board shall notify the complainant and registrar accordingly and the complaint shall be dismissed without prejudice.

G. Upon receipt of the complaint, if the board finds that the alleged facts, if true, could constitute grounds for removal of the registrar from office, as set out in R.S. 18:53, and if the complaint is otherwise found to be in order, the board shall notify the registrar, by certified mail return receipt requested and restricted delivery to addressee only, that a complaint has been filed which alleges facts which, if true, could constitute grounds for removal under the provisions of R.S. 18:53.

H. Within 15 days from the date of this notice the registrar shall file a written answer to the complaint, verified as provided by Subsection E, wherein he shall admit or deny specifically each of the allegations of the complaint, and otherwise answer to the complaint. An extension of the period for answering may be allowed by the board for good cause.

I. If the board finds that the public welfare requires the suspension of the registrar pending the outcome of the proceedings, it shall notify the registrar and his appointing authority of the suspension and its effective date. The suspension shall be with pay unless otherwise ordered.

J. Upon receipt of the registrar's answer or upon expiration of the time allowed for filing his answer, the board shall set a hearing date which shall be at least 15, but not more than 30 days subsequent to the date of the "notice of hearing." The notice of hearing shall be in compliance with the provision of R.S. 49:955.

K. Postponements will not be allowed except for a serious and compelling cause beyond the control of the requesting party. If it is necessary to reschedule a hearing, it may be rescheduled within 10 days of the date of the notice of the rescheduled hearing.

L. At the request of the board or either party and at the requesting party's cost, the board shall cause the testimony to be recorded. Copies of the transcription of the testimony may be ordered by either party or the board, at their cost.

M. The hearing shall be conducted in accordance with the provision of the Administrative Procedure Act (R.S. 49:951 through 957).

N. The board shall render its decision within 10 days after the hearing. All decisions shall comply with the requirements of R.S. 49:958.

O. A rehearing shall be granted in accordance with the requirements of R.S. 49:959.

P. The decisions shall become final 30 days after the mailing date shown thereon, unless a rehearing has been timely requested by either party, or unless the registrar, whose removal has been ordered, files a petition for judicial review by trial de novo in the 19th Judicial District Court before the expiration of the 30-day period. If a rehearing is requested by the registrar, the decision upon rehearing, or denial thereof, shall become final 30 days after the mailing date shown thereon, unless the registrar files a petition for judicial review by trial de novo in the 19th Judicial District Court before the expiration of the 30 day period.

Q. Any interested person may petition the board requesting the adoption, amendment or repeal of a rule by filing a copy of the proposed rule or amendment along with a statement of the reasons for requesting the change. The board shall act upon such request as provided by R.S. 49:953(C).

R. All filings and correspondence shall be addressed to: State Board of Election Supervisors, Secretary of State, Chairman, Box 44125, Baton Rouge, LA

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:114.

HISTORICAL NOTE: Promulgated by the Department of State, Board of Election Supervisors, LR 5:328 (October 1979).